

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6008

BILL NUMBER: SB 124

NOTE PREPARED: Oct 31, 2003

BILL AMENDED:

SUBJECT: Registration of Composting Facilities.

FIRST AUTHOR: Sen. Mrvan

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill requires a composting facility, upon application to register with the Department of Environmental Management, to: (1) give notices to interested persons; and (2) have a financial assurance plan to cover site restoration if the facility discontinues operation. The bill also changes the period of registration from five to two years, and requires a facility to have controls for the protection of wetlands.

Effective Date: July 1, 2004.

Explanation of State Expenditures: The bill increases the frequency of composting facility registration to every two years, rather than every five years. According to IDEM, the proposal will increase processing costs by approximately \$20,000 due to the additional staff time involved with processing registrations more frequently. This estimate is based on the salary and benefits of an Environmental Scientist (E3) classification, which is \$53,355 per year.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New appropriations. As of October 2, 2003, IDEM had 905 authorized employees and just over 150 vacancies of various positions. IDEM reverted \$8,123,104 in FY 2003. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Background: Currently, 113 facilities are registered. Facilities receive a letter of registration when they meet the guidelines of the program. There is no charge for registration and no time limit within which IDEM must

process registration applications. However, applications are usually processed in less than one week.

According to IC 13-20-10, all owners or operators of a composting facility for vegetative matter must register with IDEM every five years. They must also submit an annual report that indicates the volume of material processed by the composting facility during the previous year and the final disposition of the composted materials.

IC 13-20-9 provides that vegetative material (leaves, brush, and woody vegetative matter more than 3 feet in length) from landscaping and land clearing projects may not be taken to a solid waste landfill. Persons wishing to dispose of such banned vegetative material can dispose of the waste at a registered yard waste composting facility.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Environmental Management, Office of Land Quality.

Local Agencies Affected:

Information Sources: IDEM, OLQ website: www.in.gov/idem/land/sw/permitting/registeredcomposterlist.pdf

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